

ANNEXATION ORDINANCE NO. X-

04-90

AN ORDINANCE annexing certain territory commonly known as the Stone Pointe Industrial Park Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3..

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Southeast and Southwest Quarters of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection point of the West right-of-way line of the Penn Central Railroad and a line 25 feet northerly of and parallel with the South line of Section 11, Township 31 North, Range 12 East [said West right-of-way line also being part of the City limit line as established by Annexation Ordinance number X-26-69 and said line 25 feet northerly of the South line of said Section 11 also being part of the City limit line as established by Annexation Ordinance number X-06-80, both ordinances on file in the Office of the City Clerk of Fort Wayne, Indiana]; thence Northerly along the West right-of-way line of said Penn Central Railroad to the North line of the Southeast Quarter of the Southwest Quarter of Section 11, Township 31 North, Range 12 East; thence in a Easterly direction along the North line of the Southeast Quarter of the Southwest Quarter of said Section 11 to the East line of said Southwest Quarter; thence Easterly along the North line of the Southwest Quarter of the Southeast Quarter of said Section 11 to the East line of the Southwest Quarter of the Southeast Quarter [said East line also being the city limit line as established by Annexation Ordinance number X-08-87 as filed in the Office of the City Clerk of Fort Wayne, Indiana]; thence in a Southerly direction along the East line of the Southwest Quarter of the Southeast Quarter to a line 25 feet northerly of and parallel with the South line of said Section 11; thence in a Westerly direction along said line 25 feet northerly of and parallel with the South line of said Section 11, to the point of beginning containing 41 acres more or less.

The boundaries of said territory are those outlined in the location map designated "Stone Pointe Industrial Park Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.

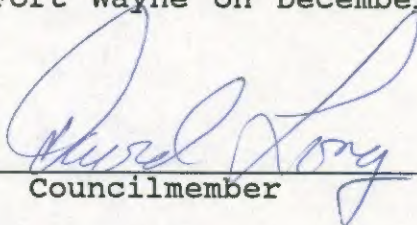
SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-

1 capital nature, including police protection, fire protection,
2 and street and road maintenance, in a manner which is
3 equivalent in standard and scope to those non-capital services
4 provided to areas within the City of Fort Wayne which have
5 similar topography, patterns of land utilization and
6 population density to the said described territory. The City
7 of Fort Wayne will also provide services of a capital
8 improvement nature, including street construction, street
9 lighting, sewer facilities, water facilities and stormwater
10 drainage facilities to the annexed territory within three (3)
11 years of the effective date of annexation, in the same manner
12 as such services are provided to areas already in the City of
13 Fort Wayne with similar topography, patterns of land
14 utilization and population density, and in a manner consistent
15 with federal, state and local laws, procedures and planning
16 criteria.

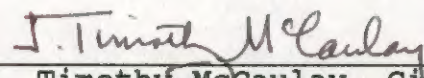
17 SECTION 3. That governmental and proprietary services will
18 be provided to the above described territory in a manner
19 consistent with the written Fiscal Plan for the territory
20 developed by the Division of Community and Economic
21 Development. Said Plan was examined by the Common Council of
22 the City of Fort Wayne and is approved and adopted by the
23 Common Council by and upon the passage of this Ordinance.

24 SECTION 4. That said described territory shall be a part of
25 Councilmanic Political Ward No. 3 of the City of Fort Wayne,
26 Indiana, as described in Division I, Section 2-9 of Chapter 2
27 of the Municipal Code of the City of Fort Wayne, Indiana of
28 1974, as amended.
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SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above described territory shall become part of the City of Fort Wayne on December 31, 1990.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Long, seconded by Delmonico, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 7-11-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Delmonico, and duly adopted, placed on its passage. PASSED ~~POST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY				<u>1</u>
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				<u>1</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 6-12-90.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-04-90 on the 12th day of June, 1990,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1990, at the hour of 11:45 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22nd day of June, 1990, at the hour of 3:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

ANNEXATION ORDINANCE NO. X- _____

AN ORDINANCE annexing certain territory commonly known as the Stone Pointe Industrial Park Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

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Beginning at the intersection point of the West right-of-way line of the Penn Central Railroad and a line 25 feet northerly of and parallel with the South line of Section 11, Township 31 North, Range 12 East [said West right-of-way line also being part of the City limit line as established by Annexation Ordinance number X-26-69 and said line 25 feet northerly of the South line of said Section 11 also being part of the City limit line as established by Annexation Ordinance number X-06-80, both ordinances on file in the Office of the City Clerk of Fort Wayne, Indiana]; thence Northerly along the West right-of-way line of said Penn Central Railroad to the North line of the Southeast Quarter of the Southwest Quarter of Section 11, Township 31 North, Range 12 East; thence in a Easterly direction along the North line of the Southeast Quarter of the Southwest Quarter of said Section 11 to the East line of said Southwest Quarter; thence Easterly along the North line of the Southwest Quarter of the Southeast Quarter of said Section 11 to the East line of the Southwest Quarter of the Southeast Quarter [said East line also being the city limit line as established by Annexation Ordinance number X-08-87 as filed in the Office of the City Clerk of Fort Wayne, Indiana]; thence in a Southerly direction along the East line of the Southwest Quarter of the Southeast Quarter to a line 25 feet northerly of and parallel with the South line of said Section 11; thence in a Westerly direction along said line 25 feet northerly of and parallel with the South line of said Section 11, to the point of beginning containing 41 acres more or less.

The boundaries of said territory are those outlined in the location map designated "Stone Pointe Industrial Park Annexation", two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection,

1 and street and road maintenance, in a manner which is equivalent
2 in standard and scope to those non-capital services provided to
3 areas within the City of Fort Wayne which have similar
4 topography, patterns of land utilization and population density
5 to the said described territory. The City of Fort Wayne will
6 also provide services of a capital improvement nature, including
7 street construction, street lighting, sewer facilities, water
8 facilities and stormwater drainage facilities to the annexed
9 territory within three (3) years of the effective date of
10 annexation, in the same manner as such services are provided to
11 areas already in the City of Fort Wayne with similar topography,
12 patterns of land utilization and population density, and in a
13 manner consistent with federal, state and local laws, procedures
14 and planning criteria.

15 SECTION 3. That governmental and proprietary services will
16 be provided to the above described territory in a manner
17 consistent with the written Fiscal Plan for the territory
18 developed by the Division of Community and Economic Development.
19 Said Plan was examined by the Common Council of the City of Fort
20 Wayne and is approved and adopted by the Common Council by and
21 upon the passage of this Ordinance.

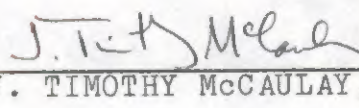
22 SECTION 4. That said described territory shall be a part of
23 Councilmanic Political Ward No. 3 of the City of Fort Wayne,
24 Indiana, as described in Division I, Section 2-9 of Chapter 2 of
25 the Municipal Code of the City of Fort Wayne, Indiana of 1974,
26 as amended.

27 SECTION 5. That, after adoption and any and all necessary
28 approval by the Mayor, this Ordinance shall be published as
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provided for in I. C. 36-4-3-7. The above described territory shall become part of the City of Fort Wayne on January 2, 1990.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY


J. TIMOTHY MCCAULAY, CITY ATTORNEY

X-89-07-25
Admn. Appr. (as amended)

DIGEST SHEET

TITLE OF ORDINANCE Stone Pointe Industrial Park Annexation Area

DEPARTMENT OF REQUESTING ORDINANCE Community and Economic Development

SYNOPSIS OF ORDINANCE The ordinance annexes said territory to the City of Fort Wayne. The annexation area contains approximately 41 acres. The annexation meets the test for annexation under State Law in that the area is at least one eighth (12.5%) contiguous to the City, and is zoned for commercial business, or industrial uses. The area also meets the second test for annexation under State Law in that the area is at least one-fourth contiguous to the City and is needed and can be used by the municipality for its development in the reasonably near future.

EFFECT OF PASSAGE Described territory will become part of the City.

EFFECT OF NON-PASSAGE The area will not become part of the City.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) _____
To be explained by the Fiscal Plan which will be prepared by the Division of Community and Economic Development.

ASSIGNED TO COMMITTEE (J.N.) _____

BILL NO. X-89-07-25

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN
JANET G. BRADBURY, VICE CHAIRPERSON
BURNS, EDMONDS, HENRY

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain
territory commonly known as the Stone Pointe Industrial Park
Annexation Area to Fort Wayne and including the same in
Councilmanic District No. 23

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Janet G. Bradbury

David C. Long

Clitus R. Edmonds

W. E. Reed

Thomas C. Henry

DATED: 6-12-90.

Sandra E. Kennedy
City Clerk

Re: *Stone Pointe Industrial Park Annexation (Ord. No. X-04-90)*

Dear :

Per I.C. 36-4-3-22, please find attached a copy of the above noted annexation which was approved by the City Council

June 12, 1990. The annexation was duly published
June 20 and July 7, 1990.

PLEASE NOTE THAT THIS ANNEXATION DOES NOT BECOME EFFECTIVE
UNTIL *December 31, 1990*.

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

Sincerely yours,

Sandra E. Kennedy
City Clerk

ENCL:

ANNEXATION ORDINANCE NO. X- 04-90

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AUDITOR'S OFFICE

F I L E D
OCT 17 1990

Jude K. Bloom
AUDITOR OF ALLEN COUNTY

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Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

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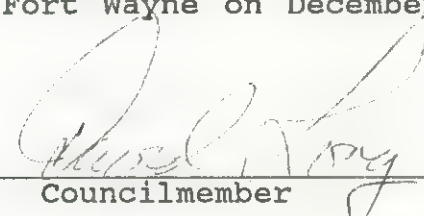
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Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

Attest:

The above and foregoing is a true and perfect copy of *Bill No. X-89-07-25*

(unamended) *Ordinance No. X-04-90*
as the same appears and remains on record in my office.

Witness my hand and seal this *18th*

day of *October*

19*90*


CLERK

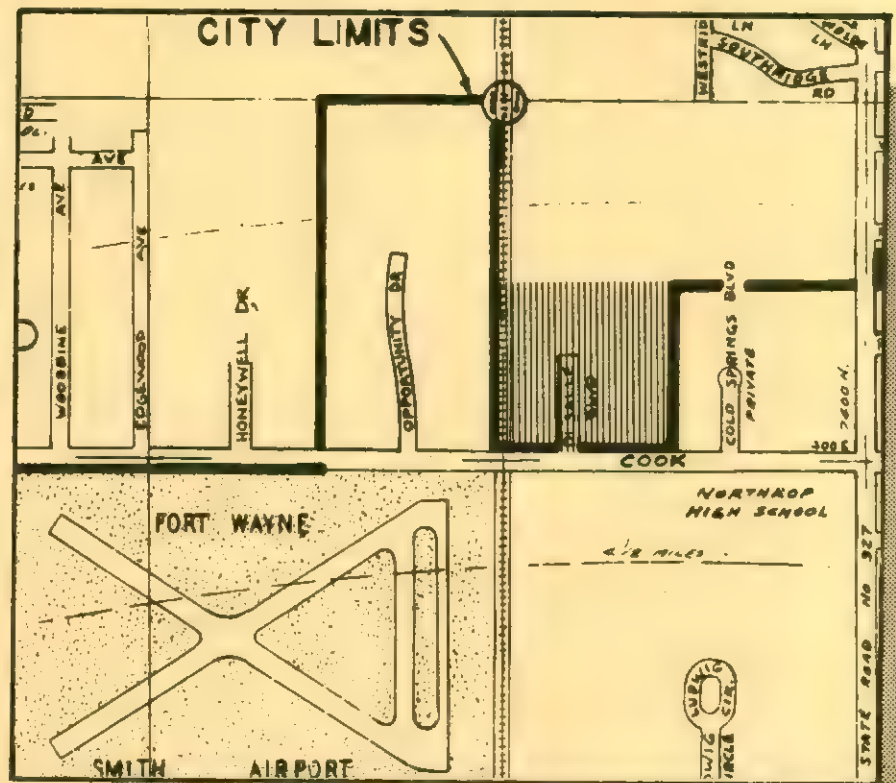
FISCAL PLAN

CITY OF FORT WAYNE
PAUL HELMKE, MAYOR

May 1990

Stone Pointe
Industrial Park

COMMUNITY & ECONOMIC
C&ED
DEVELOPMENT



ADMINISTRATION AND POLICY DIRECTION

Paul Helmke
Mayor
City of Fort Wayne

Greg Purcell, Director
Division of Community and Economic Development

V. C. Seth, AICP
Director of Planning

Fort Wayne City Plan Commission
John Shoaff, President
Melvin Smith, Vice President
Robert Hutner, Secretary
Thomas Henry
Charles Layton
Mark Gensic
Wil Smith
Stephen Smith
Yvonne Stam

RESEARCH AND PREPARATION

Gary Stair, Senior Planner
Dixon T. Lambert, Planner I

INTRODUCTION

Over the past 20 years, the City of Fort Wayne has been pursuing a vigorous policy of annexing the land adjacent to its corporate limits. This proposal is a logical continuance of this policy.

This fiscal plan outlines the applicable state legislation concerning the annexation of urban land and explains how the Stone Pointe Industrial Park annexation area conforms to the state law requirements. The plan also provides basic data about the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the City.

The proposed annexation area is approximately 41 acres, and is an industrial park and vacant railroad right-of-way.

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SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located north of the City of Fort Wayne and is bounded on the north by the east, west center line of southwest and southeast quarters of Section 11, Township 31 North, Range 12 East; on the east by the north-south center line of the southeast quarter of Section 11; on the south by Cook Road; and on the west by the west right of way of the Penn Central Rail Road. See Figure 1.

B. SIZE

The Stone Pointe Industrial Park Annexation Area contains approximately 41.56 acres.

C. POPULATION

This area is industrial development and vacant land. It has no residential units or population.

D. BUILDINGS

Industrial 2 structures in good condition

E. PATTERNS OF LAND USE

	<u>Acres</u>	<u>Percent</u>
Governmental	14.79	35.6%
Industrial	3.11	7.5%
Right-Of-Way	1.40	3.4%
Vacant	19.32	46.5%
Private Utilities	<u>2.94</u>	<u>7.0%</u>
Total	41.56	100.0%

F. ZONING

The Stone Pointe Industrial Park annexation area is currently zoned I-1P and RS-1. Upon annexation, the land will be under the jurisdiction of the Fort Wayne Plan Commission and will be zoned M-1 (Light Industrial) and R-1 (Single Family Residential). See Figure 2

G. TOPOGRAPHY

The Stone Pointe Industrial Park annexation area contains three soil classifications: Pewamo Silty Clay Loam, Morley Silt Loam, and Blount Silt Loam. It has been determined using U.S. Geological Survey Maps that the general slope of

the area is approximately 1.0 percent.

H. ASSESSMENT

\$25,000

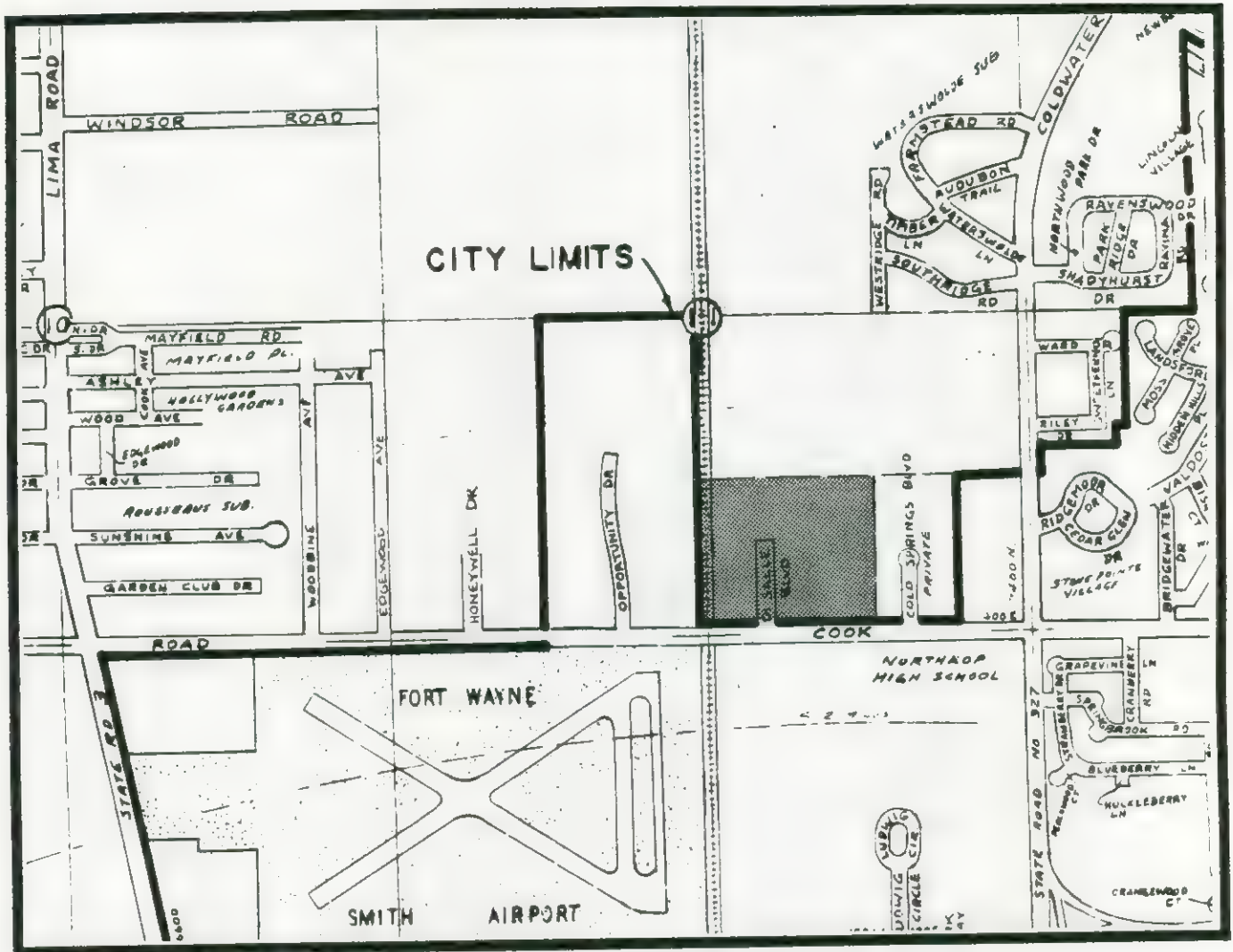
I. TAX RATE ('88 PAYABLE '89 RATES)

Existing:	6.9968
After Annexation:	10.9391
Increase:	3.9423 (56.3%)

J. COUNCIL DISTRICT

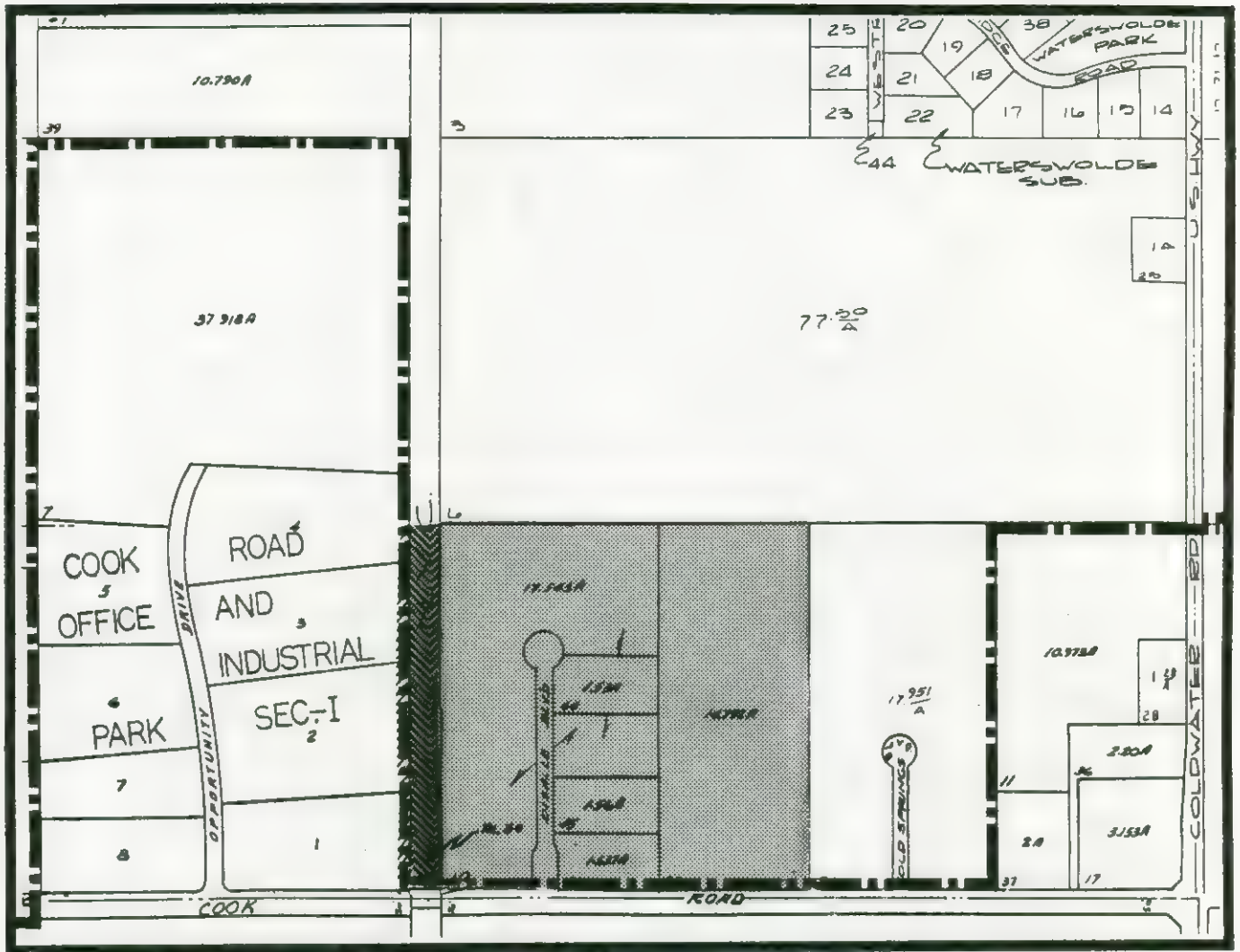
The annexation area will be in City Council District 3.

FIGURE 1

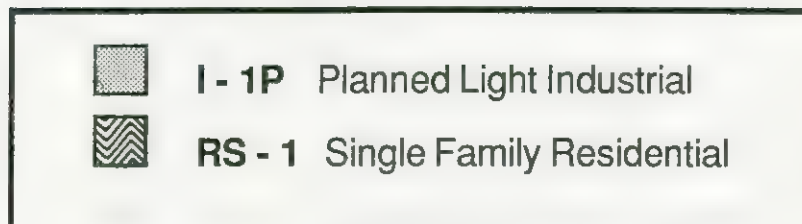


LOCATION

FIGURE 2



ZONING



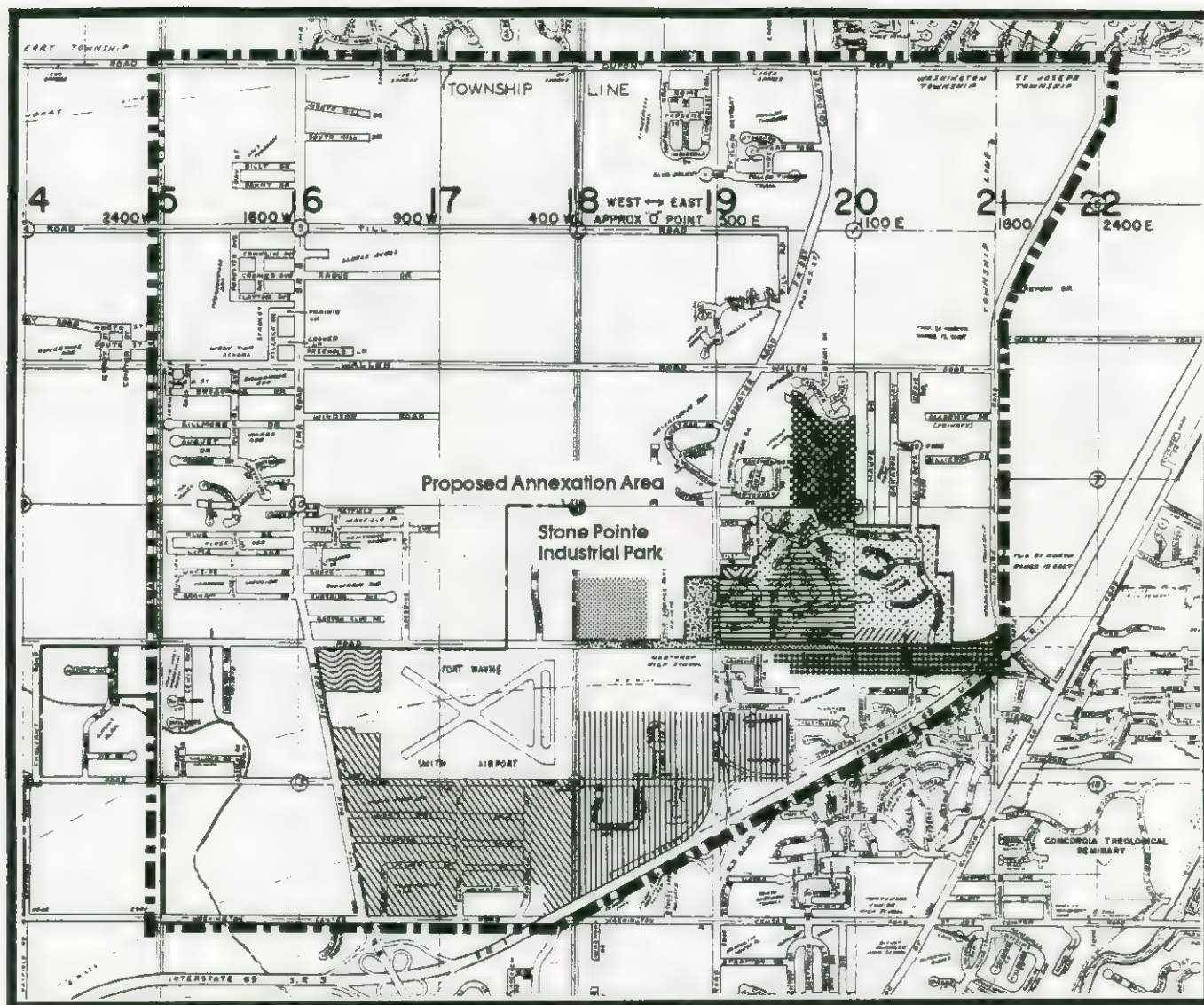
SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

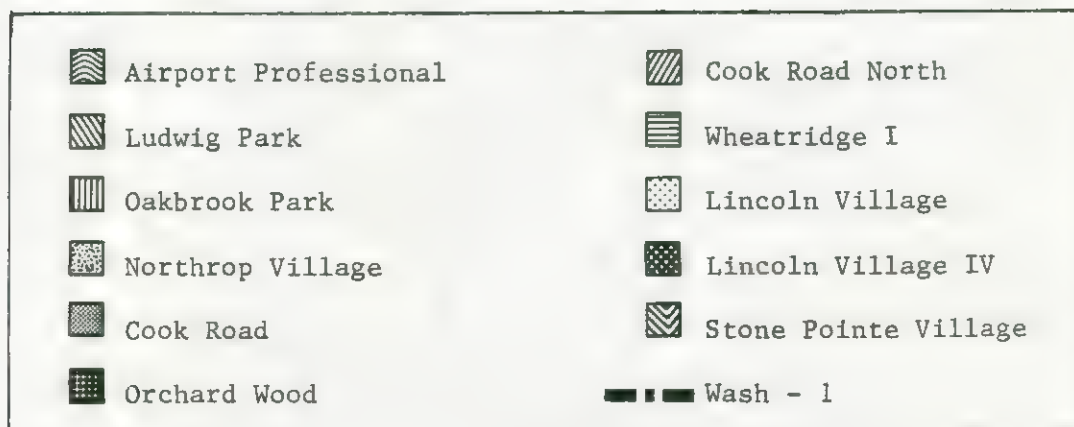
The annexation of the Stone Pointe Industrial Park area is part of a larger, comprehensive annexation program that was developed in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City "as should" all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth." Because the Stone Pointe Industrial Park area met this criteria in 1975-76, the report identified it as part of a larger area (Wash-1) which was recommended for annexation.

Since 1976, nine areas targeted in the Annexation Policy and Program Study as being part of Wash-1, have been annexed. A partial list of these areas includes the Cook Road Annexation, the Wheatridge Annexation, the Stone Pointe Annexation, the Orchard Woods Annexation and the Lincoln Village Annexation.

FIGURE 3



ANNEXATIONS IN WASH-1



SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with State law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. However, the municipality must meet the guidelines of only one of the options. The two options are:

1. The area must be at least one-eighth contiguous (12.5%) to municipality and meet at least one of the following three conditions:
 - a. have a population density of at least three persons per acre;
 - b. be zoned for commercial, business or industrial uses;
 - c. be at least sixty (60%) percent subdivided;
2. The area must be at least one-fourth contiguous (25%) to the municipality and the municipality must show that the area is needed and can be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, along with the methods used to finance such services.

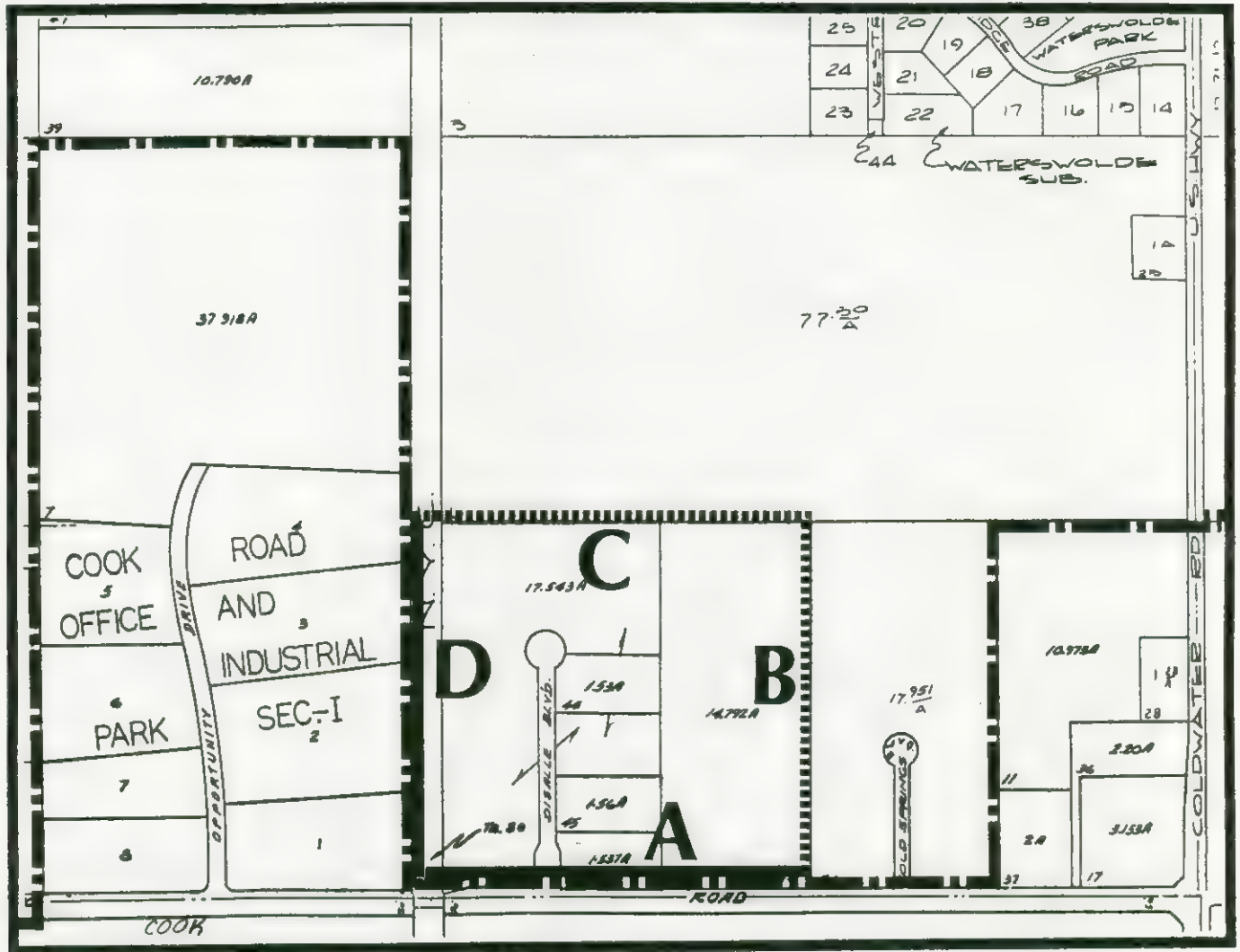
The Stone Pointe Industrial Park Annexation meets not just one, but both of the options that have been established to determine the validity of annexations. The remainder of this section will explain how the Stone Pointe Industrial Park Annexation meets these two requirements.

B. ONE-EIGHTH CONTIGUOUS

Figure 4 illustrates the length of the external boundaries of the annexation area. As can be seen, fifty (50%) percent of the annexation areas boundaries are contiguous to the City of Fort Wayne. Therefore, this annexation easily meets the 12.5% contiguity requirement mandated by State Statute.

As mentioned in the introduction, if the annexation is at least one-eighth contiguous (12.5%) to the municipality, it can be annexed if any one of the three conditions are met. The Stone Pointe Industrial Park Annexation meets condition (b) outlined above in that it is zoned for industrial uses.

FIGURE 4



CONTIGUITY

CONTIGUOUS	NON-CONTIGUOUS
A. 1370' D. 1270' 2640' t.l. ft.	B. 1270' C. 1370' 2640' t.l. ft.

C. ONE-FOURTH CONTIGUOUS

The second annexation test stipulates that an annexation is valid if the area is at least twenty-five percent contiguous and if it is needed and can be used by the municipality for its development in the reasonably near future (I.C 36-4-3-13). As noted previously, the annexation is fifty (50%) percent contiguous to the City limits. Therefore, it easily meets the the criterion mandated by the second test. Having met the contiguity requirement, the municipality must show that the area is needed and can be used by the municipality for its development in the reasonably near future.

The Stone Pointe Industrial Park Annexation meets the contiguity requirement and is needed at this time for the following two reasons: first, Industrial-Economic Development; and secondly, Planning Control.

(1) Industrial-Economic Development

The City of Fort Wayne has gained a positive national reputation for its ability to promote economic development and job growth. By annexing this area, the City of Fort Wayne will be able to direct what type of industrial development occurs here. Without annexation, the City of Fort Wayne will not have a say in what type of development should occur in this industrial park. Through annexation of this area, natural expansion which would be beneficial to the City of Fort Wayne could occur which would facilitate further economic development.

(2) PLANNING CONTROL

The Stone Pointe Industrial Park Annexation area is also needed by the City of Fort Wayne so that it will have planning and zoning control over the area. This is important because the City, being an urban area, has planning and zoning standards that are more attuned to urban areas which are adjacent to the City. On the other hand, the county, which has large amounts of agricultural land, has standards that are more attuned to a rural lifestyle.

In general, the Industrial Zoning standards in the County are much less restrictive than those used by the City. It makes sense, of course, to have distinct standards for urban and rural uses. What does not make sense is to allow areas that are within the sphere of influence of Fort Wayne, and which are, or will be, urban in nature, to be developed according to standards which are not suitable for urban development and which will only cause problems in the long run.

D. CONCLUSION

The Stone Pointe Industrial Park area should be annexed to the City of Fort Wayne because it meets both of the annexation tests that have been established by the State Legislature. The annexation area is fifty (50%) percent contiguous to the City and is zoned for industrial use. In addition, the area meets the second test for annexation in that it is more than (25%) percent contiguous and is needed and can be used by the City for its growth and industrial development in the reasonably near future.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Stone Pointe Industrial Park Annexation Area. The plan also describes how and when the City plans to extend the services of a non-capital and capital nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by state law, the annexation area will receive planned services of a non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

The City of Fort Wayne has adopted uniform service standards within its corporate limits. Therefore, the annexation area will receive non-capital services in a manner equivalent in standard and scope to all other areas of the city including, but not limited to, Summit Industrial Park which the city has identified as being similar in topography, patterns of land use, and population density to the annexation area. In addition, the annexation area will receive services of a capital improvement nature in the same manner as provided to all other areas within the corporate boundaries including, but not limited to, the above noted Summit Industrial Park.

A. POLICE

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and the protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order and provides educational and technical assistance in the area of crime prevention and neighborhood services.

Police District #1 will be expanded to cover the Stone Pointe Industrial Park Annexation Area. The Police Department keeps records on the amount of personnel and equipment necessary for the City's annexation program. Due to the size and industrial nature of this area the Police Department has determined that no additional manpower is needed to provide

equivalent to the police protection provided to all similar industrial areas within the City. The primary service provided will be alarm response and building checks. No patrols will work this specific area. Whatever negligible costs may arise will be handled by the present Police Department budget, which is primarily derived from local property taxes through the General Fund.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing services to the Stone Pointe Industrial Park Annexation Area immediately upon annexation. The services provided include, but are not limited to, full fire suppression activities, fire prevention, EMS Support-first responder, emergency hazardous materials response, public education and fire investigations.

Primary fire call response will come from Station 6 at 1600 Coliseum Boulevard West, which has one Class A pumper and a med car. If needed, backup response will come from Station 13 at 1103 Coliseum Boulevard East.

This particular annexation will not require a new fire station nor will it need additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, and gasoline; however the costs will be minimal considering that this annexation is a small fraction of the total area serviced by the city. Funding will come from the Fire Department budget through the General Fund.

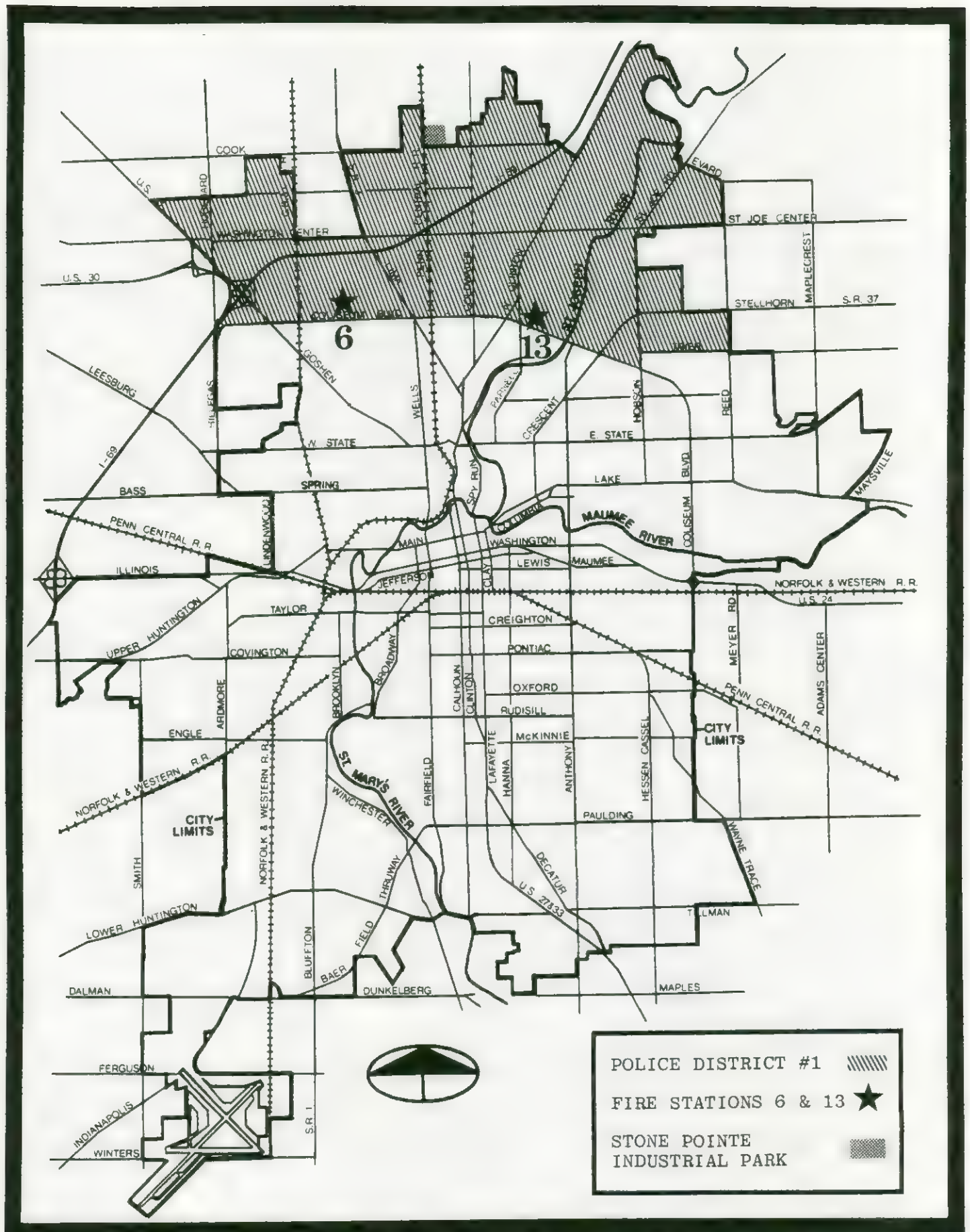
CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

C. EMERGENCY MEDICAL SERVICE

At the present time, the Three Rivers Ambulance Authority is the sole provider of ambulance service for the City. Property owners in the Stone Pointe Industrial Park Annexation area will receive full advanced life support ambulance service immediately upon annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Station 6 at 1600 Coliseum Boulevard West. The Fire Department trains a number of

FIGURE 5



POLICE AND FIRE SERVICE

its personnel so that each fire station has an emergency medical technician on duty at all times.

The method of financing medical services is based on user fees. The charges for ambulance service are shown below:

1. \$120 plus \$3 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$170 plus \$3 per loaded mile for non-scheduled non-emergency transfers.
3. \$380 for all emergencies for City and non-City residents.

This method of financing permits medical service to be extended to the annexation area with its existing budget, while no additional manpower or equipment will be needed to service this new area.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

D. SOLID WASTE DISPOSAL

The City of Fort Wayne provides garbage collection for residential customers immediately upon annexation. Since there are no residential units in the annexation area, there will be no increase in the overall cost of solid waste collection and disposal to the City of Fort Wayne.

OPERATING COSTS: \$0.00
ESTIMATED ANNUAL COST: \$0.00

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the Stone Pointe Industrial Park Annexation area immediately upon the effective date of annexation. Traffic Engineering provides installation and maintenance of traffic control devices and completes surveys and investigations which are needed to provide these services.

The Traffic Engineering Department does not require additional personnel to perform its services in the Stone Pointe Industrial Park Annexation area. The annual paint program will require an expenditure of \$36 while there are no capital costs involved because current signs meet City standards.

CAPITAL COST: \$36.00
ESTIMATED ANNUAL COST: \$ 0.00

F. STREETS AND ROADS

The incorporation of the annexation area will add .14 miles of commercial street to the City street system. This entire .14 miles of street is in good condition. The Street Department will provide engineering services and construction supervision for all street and sidewalk projects. The Street Department is also responsible for ice and snow removal, leaf pick-up and surface maintenance within the annexation area. The provision of these services will not require any additional personnel or equipment. Services provided will be similar to those services already provided to the rest of the City.

The average cost of street maintenance is roughly estimated to be \$2,500 per street mile per year; therefore, this annexation will cost the City approximately \$350.00 per year in street maintenance. The funding source for street maintenance is the Street Department budget which consists of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering funds come from MVH, Federal Aid Urban (FAU) and Local Arterial Roads and Streets (LARS) Programs.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$350.00

G. PARKS AND RECREATION

Presently, there are no residential properties in this annexation area. The services and facilities of the Fort Wayne Parks and Recreation Department are currently available, with Shoaff Park, a 169 acre Community Park being the closest. Upon annexation, property owners through the Park General Tax will contribute to the maintenance of the Park System.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

H. WATER

The City of Fort Wayne Water Utility presently serves the developed portion of this annexation area. The Water Utility has the capacity and the capability to provide sufficient volumes of water to the portions of the annexation area not presently receiving water services.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

[illegible]

Water Main
Hydrants

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility \$183.83 annually for each fire hydrant located within the City. Presently, there are three fire hydrants located in the Stone Pointe Industrial Park Annexation area.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$551.49

J. SANITARY SEWERS

The City of Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers to a portion of this annexation area. The Water Pollution Control Department has the capability to extend sanitary sewers to the remainder of this area, and will provide engineering services as needed. The extension of sanitary sewers will be considered only upon petition by the concerned property owners.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

K. STORM SEWERS

The Fort Wayne Department of Water Pollution Control currently serves the area with storm sewers. The City has provided engineering services for such a project. It is the City's policy that the financing of storm sewers is the responsibility of the property owners. Emergency maintenance will be the responsibility of the City's Sewer Maintenance and Street Maintenance Departments after annexation.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

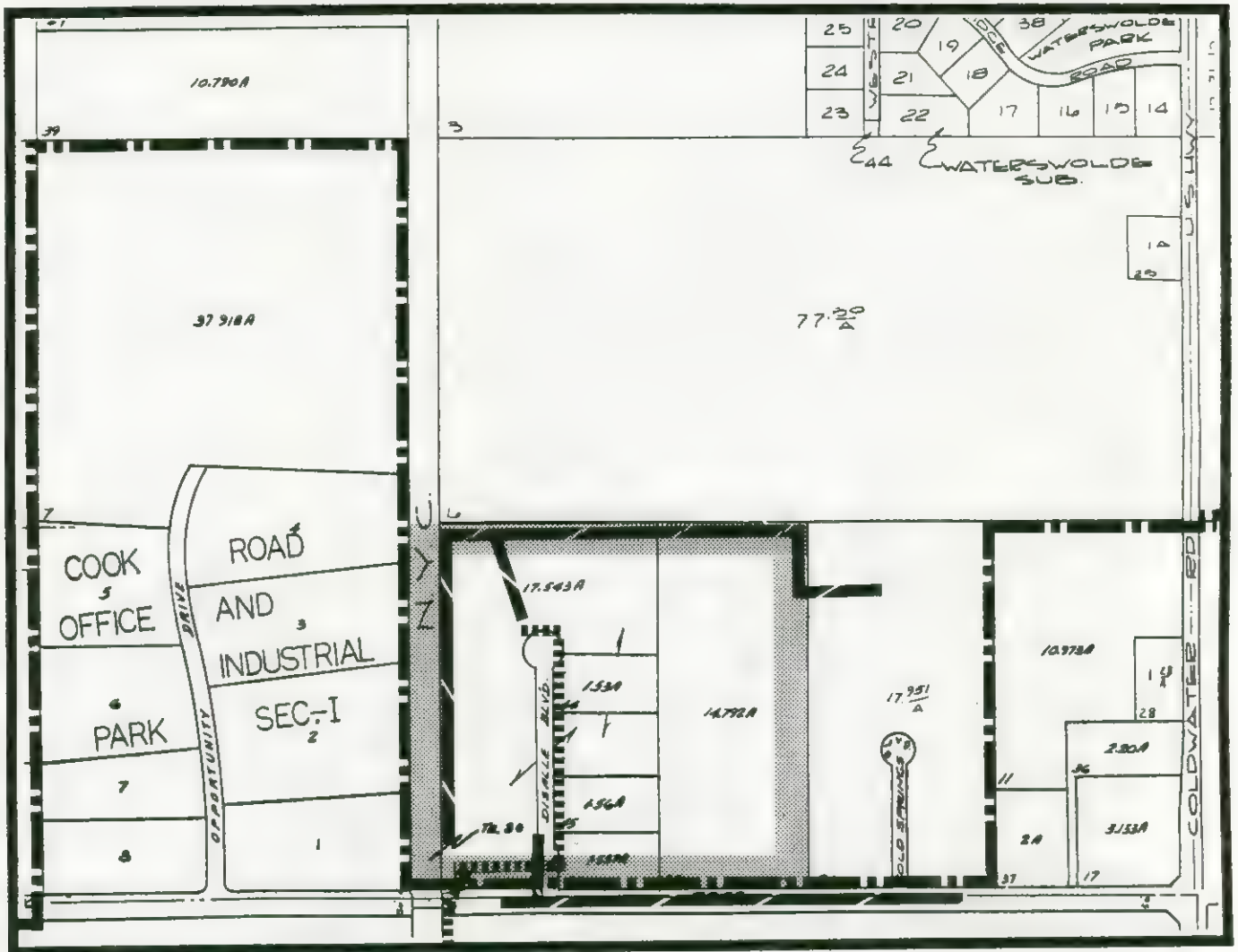
L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits, to reduce night accidents, facilitate traffic flow, aid in police protection and inspire community spirit and growth. Presently, there are street lights in the annexation area that conform to the city specifications. Upon annexation all maintenance and energy costs will be assumed by the city.

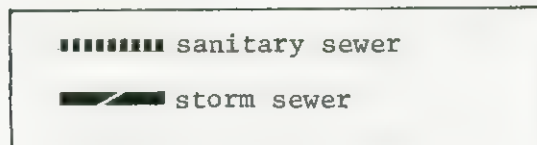
Further development in this area which need street lights will require a petition to the street light department in order to expedite the installation.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$209.00

FIGURE 7



SEWER LINES



M. LIABILITY FOR TOWNSHIP DEBT

State law (36-4-3-10) mandates the apportionment of debt from the township upon annexation. The City will incur liability for fire debt of approximately \$9.00.

CAPITAL COST: \$ 0.00
ESTIMATED ANNUAL COST: \$ 9.00

N. ANIMAL CONTROL

Due to the location, size and nature of this annexation there will be no increase in staff or funding for the Animal Control Department .

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

O. ADMINISTRATIVE SERVICES

All administrative functions of the City of Fort Wayne will be available to the Stone Pointe Industrial Park property owners immediately upon annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works and Safety, the Metropolitan Human Relations Commission, the City Clerk's Office, the Citizen's Advocate Office, etc.

General administration includes all of the regulatory and program functions for the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size and population of an area. Consequently, this plan does not include cost estimates. However, expansion of administrative functions is possible. Funding comes from a variety of sources including the General Fund and the State and Federal Government.

CAPITAL COST: \$0.00
ESTIMATED ANNUAL COST: \$0.00

SECTION FIVE

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures of the proposed Stone Pointe Industrial Park annexation. This section also provides a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Stone Pointe Industrial Park Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area and can be obtained from the Office of the Washington Township Assessor. The formula for computing tax revenue is shown in the following table.

TABLE 1

Tax Revenue Formula

	$\frac{V}{100}$	(T)	=	TR
WHERE:	V	=		Assessed Valuation
	T	=		Tax Rate
	TR	=		Tax Return

The total assessed valuation of the proposed Stone Pointe Industrial Park Annexation is \$25,000. The assessment is then computed with the City's present tax rate less that part which the property owners are currently paying (increase is 4.0525) Table 2 represents this figure. Property tax revenue for 1989 can then be determined by applying the City tax rate to this figure giving a total property tax revenue of \$1,013. Using a five percent annual rate of inflation, the property tax revenue for 1992, the first year taxes would be due after annexation would be \$1,173. (A portion of this revenue would be supplied from the State Property Tax Relief Fund).

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and the Local Arterial Roads and Streets (LARS) Funds. These funds are allocated based upon street miles. In 1988, the City received \$5,375 per street mile from the Motor Vehicle Highway (MVH) Fund and \$2,342 from the Local Arterial Roads and Streets (LARS) Fund, or a total of \$7,717 per street mile. This annexation area will add .14 miles of streets to the City's street system. Therefore,

the City will receive an additional \$753 from the Motor Vehicle Highway (MVH) Fund and an additional \$328 from the Local Arterial Roads and Streets (LARS) Fund.

Table 2 below shows the annexation area's Taxing District Rate.

TABLE 2

TAXING DISTRICT RATE

Corporation General	\$2.0854
Corporation Debt Service	.4197
Firemen Pension	.1754
Policemen Pension	.1607
Sanitary Officers Pension	.0221
Fire	.8171
Park General	.3595
Redevelopment General	.0126
	\$4.0525

B. EXPENDITURES

Expenditures which were reported in the Municipal Services Section are summarized in Table 3. Capital costs are one time expenditures while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects such as the construction of streets, curbs, and sidewalks must follow routine City procedures which often require petitioning.

On the following page Table 3 delineates what costs will stem from each department as they incorporate the newly annexed area into their service provision area.

TABLE 3
EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$ 0.00	\$ 0.00
Fire Department	0.00	0.00
EMS	0.00	0.00
Solid Waste Disposal	0.00	0.00
Traffic Control	\$ 0.00	\$ 36.00
Street and Roads	0.00	350.00
Parks and Recreation	0.00	0.00
Water	0.00	0.00
Fire Hydrants	0.00	\$ 551.49
Sanitary Sewers	0.00	0.00
Storm Sewers	0.00	0.00
Street Lighting	\$ 0.00	\$ 209.00
Liability for Indebtedness	0.00	\$ 9.00
Animal Control	0.00	0.00
Administrative Services	0.00	0.00
TOTALS	\$ 0.00	\$1,155.49

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Stone Pointe Industrial Park Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The calculation includes a five (5%) percent inflation factor for municipal expenditures, and a five (5%) percent increase in City revenues per year.

TABLE 4
REVENUES MINUS EXPENSES

<u>YEAR EXPENDITURES</u>	<u>PROPERTY TAX REVENUE</u>	<u>MVH & LARS</u>	<u>BALANCE</u>
1990 \$ 1,273.00			\$- 1,273.00
1991 1,337.00	\$ 1,173.00	\$ 1,081.00	+ 917.00
1992 1,404.00	1,231.00	1,081.00	+ 908.00
1993 1,474.00	1,293.00	1,081.00	+ 900.00
1994 1,547.00	1,358.00	1,081.00	+ 892.00
Totals \$ 7,035.00	\$ 5,055.00	\$ 4,324.00	\$ 2,344.00

D. RECOMMENDATION

This Fiscal Plan, which meets the State Law requirements that a fiscal plan be prepared, shows that the Stone Pointe Industrial Park Annexation is in accordance with the applicable state statutes. Therefore, it is recommended that after passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1990.

It is not anticipated that, due to the annexation of the Stone Pointe Industrial Park area, any governmental employees will be eliminated from other governmental agencies. In the event government employees lose their jobs due to the annexation of this area, these employees will be given priority of employment with the City of Fort Wayne with respect to vacancies for which they are qualified, which occur within six months following the effective date of annexation.

TABLE 5
WASHINGTON TOWNSHIP TAX RATES

1988 PAYABLE 1989

		WASHINGTON TRANSIT	FORT WAYNE WASHINGTON
STATE	St. Fair Board	.0035	.0035
	St. Forestry	.0065	.0065
	Welfare HCI	.0637	.0637
	Welfare Administration	.0899	.0899
	TOTAL STATE	.1636	.1636
COUNTY	County General	.9667	.9667
	County Welfare	.1618	.1618
	County Health	.0685	.0685
	Cumulative Bridge	.0500	.0500
	County Bonds	.1209	.1209
	Cum. Capital Devlpmt.	.0700	.0700
	Reassessment	.0100	.0100
	TOTAL COUNTY	1.4479	1.4479
TOWNSHIP	Township General	.0013	.0013
	Poor Relief	.0261	.0261
	Fire Protection	.0555	
	Township Recreation	.0009	.0009
	Township E.M.S.	.0196	
	Fire Debt	.0351	
	TOTAL TOWNSHIP	.1385	.0283
SCHOOLS	School General	3.0789	3.0789
	Debt Service	.0323	.0323
	School Transportation	.4482	.4482
	Capital Projects	.9982	.9982
	TOTAL SCHOOL	4.5576	4.5576
AIRPORT AUTHORITY	Airport General	.0974	.0974
	Airport Bond	.0246	.0246
	TOTAL AIRPORT	.1220	.1220
LIBRARY	Library Operating	.3709	.3709
	Library Bond	.0370	.0370
	TOTAL LIBRARY	.4079	.4079

(CONTINUED ON NEXT PAGE)

TABLE 5
(CONTINUED)

WASHINGTON TOWNSHIP TAX RATES
1988 PAYABLE 1989

		WASHINGTON TRANSIT	FORT WAYNE WASHINGTON
P.T.C.	PTC General	.1259	.1259
DISTRICT	PTC Debt	.0334	.0334
	TOTAL PTC	.1593	.1593
CITY AND SPECIAL TAXING DISTRICT	Corporation General		2.0854
	Redevelopment General		.0126
	Corp. Bond		.4197
	Firemen Pension		.1754
	Policemen Pension		.1607
	Park General		.3595
	Sanitary Officers Pen.		.0221
	Fire		.8171
	TOTAL CITY & SPECIAL DISTRICT	.0000	4.0525
TOTAL TAX RATE		6.9968	10.9391

Stone Pointe Industrial Park

Legal Description

Part of the Southeast and Southwest Quarters of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection point of the West right-of-way line of the Penn Central Railroad and a line 25 feet northerly of and parallel with the South line of Section 11, Township 31 North, Range 12 East [said West right-of-way line also being part of the City limit line as established by Annexation Ordinance number X-26-69 and said line 25 feet northerly of the South line of said Section 11 also being part of the City limit line as established by Annexation Ordinance number X-06-80, both ordinances on file in the Office of the City Clerk of Fort Wayne, Indiana]; thence Northerly along the West right-of-way line of said Penn Central Railroad to the North line of the Southeast Quarter of the Southwest Quarter of Section 11, Township 31 North, Range 12 East; thence in a Easterly direction along the North line of the Southeast Quarter of the Southwest Quarter of said Section 11 to the East line of said Southwest Quarter; thence Easterly along the North line of the Southwest Quarter of the Southeast Quarter of said Section 11 to the East line of the Southwest Quarter of the Southeast Quarter [said East line also being the city limit line as established by Annexation Ordinance number X-08-87 as filed in the Office of the City Clerk of Fort Wayne, Indiana]; thence in a Southerly direction along the East line of the Southwest Quarter of the Southeast Quarter to a line 25 feet northerly of and parallel with the South line of said Section 11; thence in a Westerly direction along said line 25 feet northerly of and parallel with the South line of said Section 11, to the point of beginning containing 41 acres more or less.

Certified Correct this 6th day of April, 1989.

Mark L. Gensic, P.E., L.S.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

June 27, 1990

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
June 30 & July 7, 1990, in both the News Sentinel and
Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-89-07-25 (as amended)
Annexation Ordinance No. X-04-90

Bill No. X-89-07-23 (as amended)
Annexation Ordinance No. X-03-90

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

LEGAL NOTICE

Notice is hereby given that on the 12th day of
June, 19 90, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-89-07-25 (as amended) Annexation
Ordinance No. X-04-90 to-wit:

Bill No. X-89-07-25 (AS AMENDED)

ANNEXATION ORDINANCE NO. X- 04-90

AN ORDINANCE annexing certain territory commonly
known as the Stone Pointe Industrial Park
Annexation Area to Fort Wayne and including the
same in Councilmanic District No. 3..

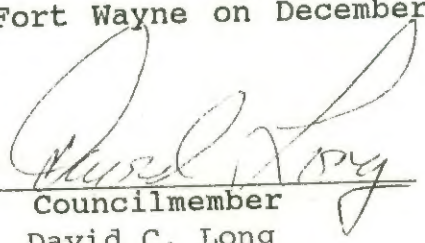
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the following described territory be and
the same is hereby annexed to, and made a part of, the
corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Southeast and Southwest Quarters of Section 11,
Township 31 North, Range 12 East, Allen County, Indiana,
more particularly described as follows:

Beginning at the intersection point of the West right-of-way
line of the Penn Central Railroad and a line 25 feet
northerly of and parallel with the South line of Section
11, Township 31 North, Range 12 East [said West right-of-
way line also being part of the City limit line as
established by Annexation Ordinance number X-26-69 and said
line 25 feet northerly of the South line of said Section 11
also being part of the City limit line as established by
Annexation Ordinance number X-06-80, both ordinances on file
in the Office of the City Clerk of Fort Wayne, Indiana];
thence Northerly along the West right-of-way line of said
Penn Central Railroad to the North line of the Southeast
Quarter of the Southwest Quarter of Section 11, Township 31
North, Range 12 East; thence in a Easterly direction along
the North line of the Southeast Quarter of the Southwest
Quarter of said Section 11 to the East line of said
Southwest Quarter; thence Easterly along the North line of
the Southwest Quarter of the Southeast Quarter of said
Section 11 to the East line of the Southwest Quarter of the
Southeast Quarter [said East line also being the city limit
line as established by Annexation Ordinance number X-08-87
as filed in the Office of the City Clerk of Fort Wayne,
Indiana]; thence in a Southerly direction along the East
line of the Southwest Quarter of the Southeast Quarter to a
line 25 feet northerly of and parallel with the South line
of said Section 11; thence in a Westerly direction along
said line 25 feet northerly of and parallel with the South
line of said Section 11, to the point of beginning
containing 41 acres more or less.

4 provided for in I. C. 36-4-3-7. The above described territory
5 shall become part of the City of Fort Wayne on December 31,
6 1990.

7
8 
Councilmember
David C. Long

Read the third time in full and on motion by Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Burns, Edmonds, Henry, Long, Redd, Schmidt, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, GiaQuinta

DATED: 6-12-90

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-90 on the 12th day of June, 1990.

ATTEST:

(SEAL)

Sandra E. Kennedy
City Clerk

Charles B. Redd
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1990, at the hour of 11:45 A.M., E.S.T.

Sandra E. Kennedy
City Clerk

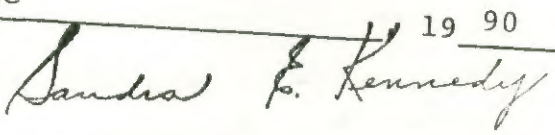
Approved and signed by me this 22nd day of June, 1990, at the hour of 3:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of
Annexation _____ Ordinance No. X-04-90,
passed by the Common Council on the 12th day of
June, 19 90, and that said Ordinance was
duly signed and approved by the Mayor on the 22nd day of
June, 19 90, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of June, 19 90.

SEAL


SANDRA E. KENNEDY, CITY CLERK

Fort Wayne Common Council

(Governmental Unit)

Allen County, Indiana

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

141 lines, 1 columns wide equals 141 equivalent lines at .495 cents per line

\$ 69.80

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 71.80

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount per allowing all just credits, and that no part of the

Nicole Allred

19 90

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time(s), the dates of publication being as follows:

6/30, 7/7/90

Nicole Allred

Subscribed and sworn to before me this 7th day of July, 19 90.

Shelley R. Larue

Notary Public Whitley County, IN
SHELLEY R. LARUE

Mv commission expires: March 3, 1994

Fort Wayne Common Council
(Governmental Unit)
Allen
County, Indiana

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
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TOTAL AMOUNT OF CLAIM \$ 71.80

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 2
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: July 7, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state undersigned Nicole Allred who, being duly sworn, says that she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper two (2) times (s), the dates of publication being as follows:

6/30, 7/7/90

Subscribed and sworn to before me this 7th day of July, 1990

My commission expires: March 3, 1994

Notary Public Whitley
SHELLEY R. LARUE

LEGAL NOTICE

Notice is hereby given that on the 12th day of June, 1990, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-89-07-25 (as amended) Annexation Ordinance No. X-04-90 (AS AMENDED)

AN ORDINANCE annexing certain territory commonly known as the Stone Pointe Industrial Park Annexation Area to Fort Wayne and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory and the same is hereby annexed to, and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Southeast and Southwest Quarters of Section 11, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection point of the West right-of-way line of the Penn Central Railroad and a line 25 feet northerly of and parallel with the South line of Section 11, Township 31 North, Range 12 East said East right-of-way line also being part of the City limit as established by Annexation Ordinance number 26-69 and said line 25 feet northerly of the South line said Section 11 also being part of the City limit line as established by Annexation Ordinance number X-06-87, both ordinances on file in the Office of the City Clerk

of Fort Wayne, Indiana; thence Northerly along the West right-of-way line of said Penn Central Railroad to the North line of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 11, Township 31 North, Range 12 East; thence in a Easterly direction along the North line of the Southeast Quarter of the Southwest Quarter of said Section 11 to the East line of said Southwest Quarter; thence Easterly along the North line of the Southwest Quarter of the Southeast Quarter of said Section 11 to the East line of the Southwest Quarter of the Southeast Quarter (said East line also being the city limit line as established by Annexation Ordinance number X-08-87 as filed in the Office of the City Clerk of Fort Wayne, Indiana); thence in a Southerly direction along the East line of the Southwest Quarter of the Southeast Quarter to a line 25 feet northerly of and parallel with the South line of said Section 11; thence in a Westerly direction along said line 25 feet northerly of and parallel with the South line of said Section 11, to the point of beginning containing 41 acres more or less.

The boundaries of said territory are those outlined in the location map designated 'Stone Pointe Industrial Park Annexation', two copies of which are on file in the office of the Clerk of the City of Fort Wayne and available for public inspection as provided by law.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of

Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I.C. 36-4-3-7. The above described territory shall become part of the City of Fort Wayne on December 31, 1990.

Councilmember David C. Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Seven
Burns, Edmonds, Henry, Long, Redd, Schmidt, Talarico

NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, Glazebrook
DATED: 6-12-90

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-90 on the 12th day of June, 1990.

ATTEST:
Sandra E. Kennedy
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1990, at the hour of 11:45 A.M., E.S.T.

Approved and signed by me this 22nd day of June, 1990, at the hour of 3:00 o'clock P.M., E.S.T.

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-90, passed by the Common Council on the 12th day of June, 1990, and that said Ordinance was duly signed and approved by the Mayor on the 22nd day of June, 1990, and now remains on file on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of June, 1990.
SANDRA E. KENNEDY, CITY CLERK
6-30/7-7

Fort Wayne Common Council

(Governmental Unit)

Allen County, Indiana

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

LEGAL NOTICE

Notice is hereby given that on the 12th day of June, 1990, the Common Council of the City of Fort Wayne,

Indiana, in a Regular Session did pass the following Bill
X-89-07-25 (as amended) Annexation Ordinance
X-04-90 1-wit:

Bill No. X-89-07-25 (AS AMENDED)
ANNEXATION ORDINANCE NO. X-04-90
AN ORDINANCE annexing certain territory com-
only known as the Stone Pointe Industrial Park
Annexation Area to Fort Wayne and including the
same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory
and the same is hereby annexed to, and made a part
of, the corporation of the City of Fort Wayne, Indiana,
to-wit:

Part of the Southeast and Southwest Quarters of
Section 11, Township 31 North, Range 12 East, Allen
County, Indiana, more particularly described as
follows:

Beginning at the intersection point of the West
right-of-way line of the Penn Central Railroad and a line
25 feet northerly of and parallel with the South line of
Section 11, Township 31 North, Range 12 East said
East right-of-way line also being part of the City limit
line as established by Annexation Ordinance number X-06-
26-69 and said line 25 feet northerly of the South line
said Section 11 also being part of the City limit line as
established by Annexation Ordinance number X-06-
1, both ordinances on file in the Office of the City Clerk
Fort Wayne, Indiana; thence Northerly along the
East right-of-way line of said Penn Central Railroad to
the North line of the Southeast Quarter of the
Southeast Quarter of the Southwest Quarter of
Section 11, Township 31 North, Range 12 East; thence
in a Easterly direction along the North line of the
Southeast Quarter of the Southwest Quarter of said
Section 11 to the East line of said Southwest Quarter;
thence Easterly along the North line of the Southwest
Quarter of the Southeast Quarter of said Section 11 to
the East line of the Southwest Quarter of the Southeast
Quarter (said East line also being the city limit line as
established by Annexation Ordinance number X-08-
1 as filed in the Office of the City Clerk of Fort Wayne,
Indiana); thence in a Southerly direction along the
East line of the Southwest Quarter of the Southeast
Quarter to a line 25 feet northerly of and parallel with
the South line of said Section 11; thence in a Westerly
direction along said line 25 feet northerly of and parallel
with the South line of said Section 11, to the point of
beginning containing 4.1 acres more or less.

The boundaries of said territory are those outlined in
the location map designated 'Stone Pointe Industrial
Park Annexation', two copies of which are on file in the
Office of the Clerk of the City of Fort Wayne and
available for public inspection as provided by law.
SECTION 2. That the City of Fort Wayne will furnish
the above described territory within a period of one
(1) year from the effective date of annexation,
annexed services of a non-capital nature, including
police protection, and street and road maintenance, in
manner which is equivalent in standard and scope to
those non-capital services provided to areas within the
City of Fort Wayne which have similar topography,
patterns of land utilization and population density to
said described territory. The City of Fort Wayne will
also provide services of a capital improvement nature,
including street construction, street lighting, sewer
sanitation, water facilities and stormwater drainage
facilities to the annexed territory within three (3) years
from the effective date of annexation, in the same manner
such services are provided to areas already in the
City of Fort Wayne with similar topography, patterns of
land utilization and population density, and in a manner
consistent with federal, state and local laws,
procedures and planning criteria.

SECTION 3. That governmental and proprietary
services will be provided to the above described
territory in a manner consistent with the written Fiscal
Plan for the territory developed by the Division of
Community and Economic Development. Said Plan was
adopted by the Common Council of the City of Fort
Wayne and is approved and adopted by the Common
Council by and upon the passage of this Ordinance.
SECTION 4. That said described territory shall be a
part of Councilmanic Political Ward No. 3 of the City of
Fort Wayne, Indiana, as described in Division I, Section
9 of Chapter 2 of the Municipal Code of the City of
Fort Wayne, Indiana of 1974, as amended.
SECTION 5. That, after adoption and any and all
necessary approval by the Mayor, this Ordinance
shall be published as provided for in I.C. 36-4-3-7. The
above described territory shall become part of the City
of Fort Wayne on December 31, 1990.

Councilmember
David C Long
read the third time in full and on motion by Long,
seconded by Talarico, and duly adopted, placed on its
passage. PASSED by the following vote:
AYES: Seven
Burns, Edmonds, Henry, Long, Redd, Schmidt,
Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, GiaQuinta
DATED: 6-12-90

Sandra E. Kennedy
City Clerk
passed and adopted by the Common Council of the
City of Fort Wayne, Indiana, as Annexation Ordinance
X-04-90 on the 12th day of June, 1990.
ATTEST:
Sandra E. Kennedy
City Clerk
Charles B. Redd
Presiding Officer
represented by me to the Mayor of the City of Fort
Wayne, Indiana, on the 13th day of June, 1990, at the
hour of 11:45 A.M., E.S.T.
Sandra E. Kennedy
City Clerk
approved and signed by me this 22nd day of June,
1990, at the hour of 3:00 o'clock P.M., E.S.T.
Paul Helmke
Mayor
The Clerk of the City of Fort Wayne, Indiana do
hereby certify that the above and foregoing is a full,
true and complete copy of Annexation Ordinance
X-04-90, passed by the Common Council on the
12th day of June, 1990, and that said Ordinance was
duly signed and approved by the Mayor on the 22nd
day of June, 1990, and now remains on file on record in
my office.
WITNESS my hand, and the official seal of the City of
Fort Wayne, Indiana, this 22nd day of June, 1990.
SANDRA E. KENNEDY, CITY CLERK

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of type in which the body of the advertisement is set)

notice

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(nt)

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\$ 71.80

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2

and penalties of Chapter 155, Acts 1953,

regoing account is just and correct, that the amount
er allowing all just credits, and that no part of the

, 19 90

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the
undersigned Nicole Allred who, being duly sworn, says that he/

she is Clerk of the The Journal-Gazette newspaper of general
circulation printed and published in the English language in the (city) (town) of
Fort Wayne, IN in state and county aforesaid, and that the printed matter

attached hereto is a true copy, which was duly published in said paper for
two time(s), the dates of publication being as follows:

6/30, 7/7/90

Subscribed and sworn to before me this 7th day of July, 19 90.

Notary Public Whitley County, IN
SHELLEY R. LARUE

My commission expires: March 3, 1994